

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

Case No. 1:12-cv-22282-WJZ  
Honorable Judge William J. Zloch

KARLA VANESSA ARCIA, et al.,

Plaintiffs,

v.

KEN DETZNER, in his official capacity as  
Florida Secretary of State,

Defendant.

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**THE SECRETARY'S RESPONSE TO PLAINTIFFS' MOTION  
FOR ENTRY OF JUDGMENT**

Defendant Florida Secretary of State Kenneth W. Detzner ("Secretary") respectfully submits this Response to Plaintiffs' Motion For Entry Of Judgment (DE 113). The Secretary agrees that the merits of Plaintiffs' claim under the National Voter Registration Act ("NVRA") presents a pure question of law, and that the Court correctly resolved that question in the Secretary's favor in its order denying Plaintiffs' hybrid motion for a preliminary injunction or summary judgment (DE 111). As the Court knows, the Secretary maintains that certain material facts remain in dispute with respect to Plaintiffs' standing to bring their NVRA claim. Thus, on the current record, the Court could not grant judgment in Plaintiffs' favor, but should grant final judgment in the Secretary's favor. The Secretary's consent to final judgment in his favor on the merits of Plaintiffs' NVRA claim does not suggest acquiescence in Plaintiffs' allegation that they have standing, and the Secretary expressly reserves the right to assert Plaintiffs' lack of standing at all subsequent stages of this litigation.

Dated: October 18, 2012

Michael A. Carvin\*  
John M. Gore\*  
Warren D. Postman\*  
JONES DAY  
51 Louisiana Avenue, N.W.  
Washington, D.C. 20001  
Telephone: (202) 879-3939  
Facsimile: (202) 626-1700  
macarvin@jonesday.com  
jmgore@jonesday.com  
wpostman@jonesday.com

\*Admitted *pro hac vice*

Respectfully submitted,

/s/ Daniel E. Nordby  
Daniel E. Nordby (Fla. Bar No. 14588)  
General Counsel  
Ashley E. Davis (Fla. Bar No. 48032)  
Assistant General Counsel  
Florida Department Of State  
R.A. Gray Building  
500 South Bronough Street, Suite 100  
Tallahassee, FL 32399-0250  
Telephone: (850) 245-6536  
Facsimile: (850) 245-6127  
Daniel.Nordby@DOS.MyFlorida.com  
Ashley.Davis@DOS.MyFlorida.com

Counsel for Defendant  
Secretary of State Ken Detzner

**CERTIFICATE OF SERVICE**

I hereby certify that on this 18th day of October, 2012, a true and correct copy of the foregoing will be sent electronically to the registered participants through the Court's CM/ECF system.

/s/ Daniel E. Nordby